

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1, 3 and 6-13 are currently being prosecuted. The Examiner is respectfully requested to reconsider her rejections in view of the Amendments and Remarks as set forth hereinbelow.

ALLOWABLE SUBJECT MATTER

Applicants thank the Examiner for the indication that claims 2 and 6 would be allowable if rewritten in independent form (note the Office Action indicates claims 2, 6 and 7 would be allowable, but based on a discussion conducted with the Examiner, it was determined that only claims 2 and 6 would be allowable if rewritten in independent form). In light of this indication, claim 1 has been amended to include the subject matter recited in claim 2, and claim 6 has been rewritten in independent form.

CLAIM FOR PRIORITY

It is gratefully acknowledged the Examiner has recognized the Applicants' claim for foreign priority. Because the Applicants' claim for foreign priority has been perfected, no additional action is required from the Applicants at this time.

DRAWINGS

It is gratefully acknowledged the Examiner has approved the Formal Drawings submitted by the Applicants. The drawings comply with the requirements of the USPTO. No further action is necessary.

ACKNOWLEDGEMENT OF INFORMATION DISCLOSURE STATEMENT

The Examiner acknowledged the first IDS filed on January 30, 2004, but has not acknowledged the IDS filed on April 19, 2005. Accordingly, the Examiner is respectfully requested to acknowledge the second filed IDS. An initialed copy of the PTO-1449 should be sent to the undersigned at the earliest convenience of the Examiner.

§ 103 REJECTION

Claims 1, 3-5 and 7 stand rejected under 35 U.S.C. § 103(a) as unpatentable over JP 63-160659 (JP '659) in view of Figlar et al. This rejection is respectfully traversed.

Claim 3 has been rewritten in independent form and to include the subject matter recited in dependent claim 4. Independent claim 7 includes similar features in a varying scope. For example, amended independent claim 3 is directed to a cigarette filter having a combination of elements including filter sections having filter materials individually wrapped with plug wrap paper; forming paper for wrapping the filter sections integrally; and tipping paper covering the forming paper so as to connect the filter sections to a cigarette section to form a cigarette. Further, activated charcoal and silica/alumina are contained as adsorbents in at least one of the filter materials and a space between the filter materials. In addition, two filter materials are provided, and a mixture of the activated charcoal and the silica/alumina is loaded in the space between the two filter materials or is dispersed in one of the filter materials.

These features are supported at least by Figure 1 and Figure 3. For example, Figure 1 illustrates an absorbent for including a mixture of activated charcoal 41 and silica / alumina 42 in a space between two filter sections 2 and Figure 3 illustrates the absorbent 4 including a mixture of activated charcoal 41 and silica / alumina 42 in at least one filter section 2.

On the contrary, neither JP '659 nor Figlar et al. teach or suggest providing an absorbent including a mixture of activated charcoal and silica/ alumina either in at least one filter section or in a space between two filter sections. That is, Figlar et al. illustrate a charcoal absorbent 134 and a selective absorbent 136 not being mixed together in Figures 2-8. Further, JP '659 also does not teach or suggest silica/alumina mixed with activated charcoal nor the advantages which this mixture achieves.

Accordingly, it is respectfully submitted independent claims 3 and 7 and each of the claims depending therefrom are also allowable.

NEW CLAIMS

Further, new claims 8-13 have been added to set forth the invention in a varying scope, and Applicants submit the new claims are supported by the originally filed specification. In particular, new dependent claim 8 is similar to original dependent claim 2, but depends on independent claim 7. Further, new independent claim 9 is directed to a method of making a cigarette. It is respectfully submitted independent claim 9 is allowable for similar reasons as independent claims 3 and 7. In addition, the subject matter recited in claims 10-13 is described in the specification at page 5, lines 11-20.

Further, the specification has been amended to correct minor informalities. No new matter has been added.

CONCLUSION

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination.

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone David A. Bilodeau at (703) 205-8072 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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